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Opening Statement of Chairman Michael **Bilirakis**
Health and Environment Subcommittee and Oversight and
Investigations Subcommittee Hearing on State and Local Perspectives on
proposed standards to revise ozone and Particulate Matter Standards

May 1, 1997

As Chairman Barton ably noted, our hearings to date have outlined uncertainties in the science behind the new standards and questions concerning the conduct and extent of interagency review of the standards. Today, we take the further step of examining the impact of any new standards on state and local governments.

In other forums, Secretary Browner has stated that the Environmental Protection Agency will give states and localities great leeway in implementing the new standards. In fact, the Agency has resisted accounting for the full costs of implementation on the basis that innovative methods will be developed to ensure compliance and that state and local governments will be able to substantially reduce compliance costs through innovation..

Certainly, I hope this is the case. And I am also heartened to hear that EPA will be very flexible in approving the compliance programs designed by each state. However, I doubt whether one could be confident in this conclusion based on past history. In fact, just over two years ago, in this very same hearing room, our committee heard three governors complain -- rather loudly at times -- of the complexity and cost of EPA's automobile inspection and maintenance program, of EPA's micromanagement of state programs, and of inordinate delays in approving redesignation requests.

So this committee will need to review the question of what has changed at EPA to have us believe that a new ozone standard which over 300 counties nationwide -- with a combined population exceeding 120 million people -- will not meet -- will be implemented in a "hands off" manner. This committee will also need to review how an entirely new regulatory program to control fine particulate matter -- which might affect 170 counties with a population exceeding

74 million -- can be implemented with a “light regulatory touch.” I will be interested to learn today whether state and local governments accept EPA assurances in this regard, or whether they might harbor some doubts about this new effort.

It is also clear that any new standards will take nearly 14 years to implement during which time we will have the possibility of multiple Administrations and, most likely, several EPA Administrators. Federal policies and guidance could easily change from one administration to the next. What effect does this very real possibility have on state and local perspectives on the new standards? What assurances do state and local governments want that the federal government won’t change the rules, once again, in the middle of the game?

Altogether, do our state and local governments believe, based on past experience, that implementation of the new standards will be easy or difficult? Inexpensive or costly? Necessary to protect the public health, or possibly unnecessary or inefficient? Are state and local governments confident that EPA will minimize implementation costs -- or are they worried that local communities will be saddled with new expenses with few options to raise revenue or cut costs?

These are exceedingly important questions. I hope today’s hearing will help initiate the process of finding answers.